Local Civil Rule 4
CIVIL CASE SCHEDULE

(a) Case schedule. Except as otherwise provided in these rules or ordered by the Court, when an initial pleading is filed and a new case file is opened, the Court Administrator or Superior Court Clerk will prepare and file a scheduling order (referred to in these rules as a "Case Schedule") and will provide one copy to the party filing the initial pleading.

(b) Effective Date. This rule shall apply to all cases filed on or after January 1, 2001 except as provided below.

(c) Cases Not Governed by a Civil Case Schedule. Unless otherwise ordered by the Court, the following cases will not be issued a Case Schedule on filing:

(1) Change of name;

(2) Proceedings under RCW title 26.

(3) Paternity

(4) Harassment (RCW chapter 10.14);

(5) Proceedings under RCW title 13;

(6) Unlawful detainer;

(7) Foreign judgment;

(8) Abstract or transcript of judgment;

(9) Petition for Writ of Habeas Corpus, Mandamus, Restitution, or Review, or any other Writ;

(10) Civil commitment;

(11) Proceedings under RCW chapter 10.77;

(12) Proceedings under RCW chapter 70.96A;

(13) Proceedings for isolation and quarantine;

(14) Injunction;

(15) Guardianship;

(16) Probate;

(17) Proceedings under RCW chapter 36.70C;

(18) Tax Warrants;

(19) Lower Court Appeals;

(20) Administrative Law Reviews (Appeals of Administrative Agency Decisions);

(21) Emancipation of Minor;

(22) Defacto Parenting;

(23) Minor Settlements;

(24) Condemnations; and

(25) Petitions for Transfers of Structured Settlements under RCW 19.205;

(26) Tax Foreclosures.

(d) Service of Case Schedule on Other Parties.

(1) The party filing the initial pleading shall promptly provide a copy of the Case Schedule to all other parties by (a) serving a copy of the Case Schedule on the other parties along with the initial pleading, or (b) serving the Case Schedule on the other parties within 10 days after the later filing of the initial pleading or service of any response to the initial pleading, whether that response is a notice of appearance, an answer, or a CR 12 motion.

(2) A party who joins an additional party in an action shall serve the additional party with the current Case Schedule together with the first pleading served on the additional party.

(e) Amendment of Case Schedule. The Court, either on motion of a party or on its own initiative, or at a Status Conference requested by the parties, may modify the Case Schedule for good cause. The Court shall freely grant a motion to amend the case schedule when justice so requires. The motion shall include a proposed Amended Case Schedule. If a Case Schedule is modified on the Court's own motion, the Court Administrator will prepare and file the Amended Case Schedule and promptly mail it to all parties. Parties may not amend a Case

Schedule by stipulation without approval of the Court.

(f) Form of Case Schedule.

(1) Case Schedule. A Case Schedule for each type of case, which will set the time period between filing and trial and the scheduled events and deadlines for that type of case, will be established by the Court by General Order, based upon relevant factors, including statutory priorities, resources available to the Court, case filings, and the interests of justice.

(2) Form. A Case Schedule will be in generally the following form:

SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR BENTON AND FRANKLIN COUNTIES

Plaintiff(s)	Case No.
V.	CIVIL CASE SCHEDULE ORDER (ORSCS)
Defendant(s)	

I. SCHEDULE

		DUE DATE
1.	Cancellation / Confirmation of Status Conference	3 Months
2.	Last Date for Filing Motions to Change Trial Date	4 Months
3.	Status Conference	4 Months
4.	Plaintiff's Disclosure of Lay and Expert Witnesses	4 Months
5.	Defendant's Disclosure of Lay and Expert Witnesses	6 Months
6.	Disclosure of Plaintiff's Rebuttal Witnesses	6 1/2 Months
7.	Disclosure of Defendant's Rebuttal Witnesses	7 Months
8.	Discovery Completed	9 1/2 Months
9.	Last Date for Filing Statement of Arbitrability	9 1/2 Months
10.	Last Date for Filing Jury Demand	10 Months
11.	Settlement Position Statements filed by all parties	10 Months
12.	Last Date for Filing Dispositive Pretrial Motions	10 Months
13.	Settlement Conference	10 1/2 Months
14.	Last Date for Filing and Serving Trial Management Report	11 1/2 Months
15.	Pretrial Management Conference	11 1/2 Months
16.	Trial Memoranda and Motions In Limine to be filed...	2 Weeks to Trial
17.	Trial Date and Motions in Limine	12 Months

II. ORDER

IT IS ORDERED that all parties comply with the foregoing schedule.

DATED this _____ day of _____, _____

_____
Judge

NOTICE TO PLAINTIFF:

The plaintiff may serve a copy of the Case Schedule Order on the defendant(s) along with the summons and complaint. Otherwise, the plaintiff shall serve the Case Schedule Order on the defendant(s) within ten (10) days after the latter of: (1) the filing of the summons and complaint or (2) service of the defendant's first response to the complaint, whether that response is a Notice of Appearance, an Answer, or a CR 12 Motion.

(g) Monitoring. At such times as the Presiding Judge may direct, the Court Administrator will monitor cases to determine compliance with these rules.

(h) Enforcement; Sanctions; Dismissal; Terms.

(1) Disclosure of Possible Lay and Expert Witnesses.

(A) Disclosure of Primary Witnesses. Each party shall, no later than the date for disclosure designated in the Case Schedule, disclose all persons with relevant factual or expert knowledge whom the party believes are reasonably likely to be called at trial.

(B) Disclosure of Rebuttal Witnesses. Each party shall, no later than the date for disclosure designated in the Case Schedule, disclose all persons whose knowledge did not appear relevant until the primary witnesses were disclosed and whom the party reserves the option to call as witnesses at trial.

(C) Scope of disclosure. Disclosure of witnesses under this rule shall include the following information:

i. All witnesses. Name, address, and phone number.

ii. Lay witnesses. A brief description of the anticipated subject matter of

the witness' testimony.

iii. Experts. A summary of the expert's opinions and the basis therefor and a brief description of the expert's qualifications.

(D) Exclusion of Testimony. Any person not disclosed in compliance with this rule may not be called to testify at trial, unless the Court orders otherwise for good cause and subject to such conditions as justice requires, including the payment of terms.

(E) Discovery Not Limited. This rule does not modify a party's responsibility under court rules to respond to or seasonably supplement responses to discovery or otherwise to comply with discovery before the deadlines set by this rule.

(2) If the Court finds that an attorney or party has failed to comply with the Case Schedule, failed to provide all of the information required in witness disclosures or disclosed witnesses that are not reasonably likely to be called at trial and has no reasonable excuse, the Court may order the at torney or party to pay monetary sanctions to the Court, or terms to any other party who has incurred expense as a result of the failure to comply, or both; in addition, the Court may impose such other sanctions as justice requires.

(3) As used with respect to the Case Schedule, "terms" means costs, attorney fees, and other expenses incurred or to be incurred as a result of the failure to comply; the term "monetary sanctions" means a financial penalty payable to the Court; the term "other sanctions" includes but is not limited to the exclusion of evidence.

(4) Except for good cause shown, trials in all civil cases subject to Rule 4 shall trail for one day. That is, trials of cases in Benton County will be called on Mondays, but the parties must be prepared to begin trial on the next day (Tuesday). Similarly, trials of case in Franklin County will be called on Wednesdays, but the parties must be prepared to begin trial on the next day (Thursday).

[Adopted Effective September 1, 2000; Amended September 1, 2001, September 1, 2003, September 1, 2004, September 1, 2005, September 1, 2006, September 1, 2007, September 1, 2009, September 1, 2010, September 1, 2011.]